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Second periodic report of States Parties

Liechtenstein*

* The present document is being issued without formal editing. For the initial report submitted by the Government of Liechtenstein, see CEDAW/C/LIE/1.

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LIECHTENSTEIN

SECOND NATIONAL REPORT

under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women of 18 December 1979

Vaduz, 29 June 2001

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PREFACE

The present report was approved by the Government of the Principality of Liechtenstein on 26 June 2001. and is submitted in conformity with article 18 of the Convention on the Elimination of All Forms of Discrimination against Women of 18 December 1979. It describes legislative, administrative and other measures that have been taken pursuant to the Convention and is furthermore intended to implement the contents of the initial report. This is the second national report submitted by Liechtenstein. It covers the period between the presentation of its initial report in January 1999 and the submission of the present report on 30 June 2001.

In accordance with the guidelines for the submission of reports under human rights instruments, Part 1 of the present report contains general information on Liechtenstein and respect for human rights in the country. Part 2 of the report is presented in conformity with the general guidelines of the Committee on the Elimination of Discrimination against Women (CEDAW) and takes into account the observations and recommendations made by the Committee in respect of the report submitted in January 1999 in New York.

Government of the
Principality of Liechtenstein

PART 1: GENERAL INFORMATION

A. Geography

The Principality of Liechtenstein lies between Switzerland and Austria and covers an area of 160 km^2. Liechtenstein is divided into eleven communities, of which the two largest have a population of just over 5,000 each. One quarter of the land area is situated in the Rhine valley, while the other three-quarters are on the surrounding slopes and in the inner regions of the Alps. The capital and seat of government of Liechtenstein is Vaduz.

B. Population

In late 1999, Liechtenstein had a population of 32,426 – approximately the size of a small city. Its is characterized by a considerable urban sprawl and the population is spread out over 11 communities. Foreigners make up 34.3 per cent of the population. Of all the foreigners resident in Liechtenstein, 45.5 per cent are from countries participating in the European Economic Area (EEA)[1], mainly Austria and Germany, and 34.7 per cent are from Switzerland. Third countries therefore account for 19.8 per cent, which includes 7.8 per cent from Turkey and 7.5 per cent from the now independent States of the former Yugoslavia (the Federal Republic of Yugoslavia, Bosnia and Herzegovina and Croatia).

C. Population structure

Within the last 10 years, the average birth rate was 400 per year. Infant mortality has been decreasing steadily since the 1950s, and Liechtenstein now has a very low infant mortality rate. In recent years, only an average of 3 out of every 1,000 children died within one year of birth.

In late 1999, 18.6 per cent of the population was under 15 years of age, while 10.5 per cent was over 65. Life expectancy has been rising steadily for the past thirty years, and in 1998 averaged 82.5 years for women and 76.5 years for men[2].

D. Religion

In late 1999, Roman Catholics made up 77.8 per cent of the total population, Protestants accounted for 7.1 per cent and Muslims 3.5 per cent, while 9.5 per cent of the population did not specify their religious affiliation.

The Constitution of Liechtenstein guarantees freedom of belief and conscience, and also guarantees civil and political rights irrespective of one's faith. Children may be excused from religious education in public schools by invoking religious freedom.

Under the Constitution, the Catholic Church is the established church of Liechtenstein. The State provides financial support to the Catholic Church, as well as to the Protestant Church. As a result of the establishment of the Archdiocese of Liechtenstein, the issue of the separation of Church and State is currently being examined.

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[1] The European Economic Area consists of the 15 member States of the European Union, as well as Iceland, Liechtenstein and Norway, which are member States of the European Free Trade Association (EFTA).

[2] No data on average life expectancy is specifically collected in Liechtenstein, due to its small population. Data presented here are taken from the Swiss Statistic Yearbook of 2001 also applying for Liechtenstein.

E. Language

The Constitution establishes German as the national and official language of Liechtenstein. A German dialect with Alemannic characteristics is also commonly spoken.

F. Human rights and their implementation in Liechtenstein

With regard to the implementation of international human rights treaties, Liechtenstein subscribes to the principle that treaty obligations should be entered into only when internal compliance is possible. An international treaty ratified by the Government of Liechtenstein becomes a part of national law from the time of its entry into force for Liechtenstein. Where the provisions of the treaty are sufficiently specific, no implementing law is necessary. In accordance with existing practice, international treaties are afforded a minimum status equal to that of national law.

All laws and regulations, including international agreements, are discussed in the Parliament of Liechtenstein, known as the Diet, and must be published in the Official Law Gazette of Liechtenstein *(Liechtensteinischer Landesgesetzblatt, LGBl.)* upon taking effect. The newspapers also publish reports on the entry into force of such instruments, the texts of which may be obtained from the Government Administrative Office. The public therefore has access to all legal instruments currently in force.

As regards international human rights instruments, once these are approved by the Diet, the public is informed by the Government upon their entry into force, and thereafter as required. Liechtenstein's initial report to CEDAW and the Committee's observations thereon were also forwarded to the Diet and to women's organizations, and CEDAW's conclusions published in a government press release.

PART 2: IMPLEMENTATION OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

II. Introduction

The status of women in Liechtenstein and implementation of the Beijing Platform for Action

In granting women the right to vote in 1984, Liechtenstein made a comparatively late but energetic start in its policy on women and in realizing the principle of gender equality. In the last fifteen years this principle has been established in the legal framework governing such diverse areas as education, employment, politics and social security, and a change in awareness among women themselves has been brought about at the same time. Young women in particular are now taking advantage of the opportunities available to them with self-assurance and as a matter of course, contributing to the development of a democratic and egalitarian society.

Liechtenstein's legislative policy on gender equality is founded mainly on the principle of gender equality in the Constitution and on the Gender Equality Act as well as on the introduction of maternity leave, the right to protection against violence, the amendment of the Marriage Act and the laws governing State and company pension schemes. At the institutional level, the establishment of the Office for Gender Equality as a permanent government division is noteworthy, while other important supporting measures in this area are the development of infrastructure for child care outside of the home and other measures aimed at promoting the family (allowances for children and for single-parent families, rent subsidies, etc.), as well as the Equality Prize, an incentive for the advancement of women.

De jure gender equality has been realized already. However, some action is still needed as regards de facto equality. For this reason, Liechtenstein continues to promote measures aimed at better reconciling family obligations and employment, as well as enhancing women's participation in political and economic decision-making. Because of the strong linkages between these areas and traditional gender roles, a change of awareness among the population in order to eliminate these gender stereotypes is being actively promoted through Liechtenstein's policy on women.

This policy is based on the four main ideas addressed in the Beijing Platform for Action:

1. Women's rights are human rights;
2. Women have a fundamental right to protection from violence;
3. Women's full participation in all public and private decision-making processes in all areas must be ensured;
4. Rigidly defined gender roles must be dismantled.

Liechtenstein produces and publishes annual reports on the implementation of the Beijing Platform for Action. Furthermore, the Government submits a report to the Diet every four years on measures taken and possible further measures in the area of gender equality (gender equality report; see annex 2).

III. Implementation of specific articles of the Convention

Article 2 Policy for the elimination of discrimination against women

a) Embodiment of the principle of equal rights in the Constitution and legislation and measures for the realization of this principle

Gender Equality Act

The Gender Equality Act[3] was passed in 1998 and took effect on 5 May 1999. The Act seeks to realize de facto equality of status and opportunity for women and men in the area of employment. The elimination of economic discrimination, which, inter alia, directly impacts women's ability to secure their existence, is a key feature of Liechtenstein's policy on gender equality. The Gender Equality Act is also an important step forward in better reconciling family and work, an important condition for longer-term participation of women in the labour market. This Act applies to labour relations governed by both private and public law.

Liechtenstein has not extended the scope of the Act to cover all areas of service in accordance with the recommendations of the Committee on the Elimination of Discrimination against Women (hereinafter referred to as "the Committee"). A Gender Equality Act focusing on employment (as do those exist in the neighbouring countries of Switzerland, Austria and Germany) seems to be the right approach for implementing gender equality in this area. In political and socio-political areas, however, positive measures, as presented in the following, are believed to be more adequate and better aimed at promoting and ensuring gender equality than legal measures.

The Act contains the following main issues: a universal prohibition of discrimination, whereby workers may not be placed, either directly or indirectly, in a disadvantaged position due to their sex, namely, not by reason of their civil status, family situation or, for women, pregnancy. This principle applies especially to remuneration (equal pay for equal work), working conditions, training and professional development opportunities and promotions, as well as for termination of employment (protection against wrongful termination). To protect the identity of individual workers, the Act also provides for the right of an association to bring an action, so that an organization may bring an action in its name instead of making the names of the individual workers public. Workers are also afforded additional protection through provisions that reduce the burden of proof in cases of alleged discrimination. Consequently, the burden of proof does not lie with the victim of discrimination but with the defendant, who must prove that no discrimination exists. An exception is made only in cases of sexual harassment in the workplace. In these cases, the regulatory framework, which places the plaintiff in a strengthened position, is in conformity with the legal principles applicable in the European Economic Area.

A particular provision in this area provides for the possibility to bring an action and seek damages against an employer who fails to take measures to eliminate discrimination in the workplace. In cases where discrimination takes the form of denial of employment, such damages may not exceed the equivalent of three months' wages. Where there has been discrimination in respect of termination of employment, the maximum allowable amount is the equivalent of six months' wages. Damages in respect of discrimination by sexual harassment may be as much as 40,000 Swiss francs (approximately 22,350 $). The Act sets out entitlements and possibilities for bringing an action, and affirms that appropriate special measures for the realization of de facto equality between women and men do not constitute discrimination.

[3] Act of 10 March 1999 on Equality of Women and Men, LGBl. 1999 No. 96.

Implementation

Although the Government's Office for Gender Equality, the Association for Working Men and Women *(ArbeitnehmerInnenverband)* and various women's organizations are aware of some cases of wage discrimination and sexual harassment, to date none of the affected women have filed a complaint on their matter. The mediation arrangements provided for in the Act, which will be set up upon receipt of a first report, have therefore not yet been established. The affected women refrain from taking action out of fear of the consequences. They may be afraid of having their employment status terminated, being exposed and stigmatized, of having fewer possibilities on the job market, or of finding themselves unemployed, etc. Since Liechtenstein is such a small country, it is difficult for complainants to protect their identity, and they can only maintain their anonymity by bringing an action under the umbrella of a given association or organization, such as the Association for Working Men and Women. However, filing such a suit is bound to the condition that there must be several persons in the same company who have been subject to discrimination. Such a case has not occurred since the Gender Equality Act took effect two years ago. In the implementation of the Gender Equality Act, therefore, it is important that the persons who experience discrimination utilize actively the measures of recourse available to them.

In order to better inform women about the avenues of legal recourse open to them in cases of discrimination, the Government provides financial support for public awareness activities and counselling to the Women's Information and Contact Office ("infra") and to the Association of Working Persons[4].

Revision of the Marriage Act

The revised Marriage Act[5] took effect on 1 April 1999. The Act provides for equality of women and men in terms of marriageable age and acquisition of citizenship, and also contains new provisions on the dissolution of marriage which permit separation and divorce by mutual consent. It also places married women not engaged in remunerated work on an equal footing in respect of company pension entitlements in cases of divorce, so that a housewife is entitled to half of her husband's expectancy from his company pension scheme during the marriage. The Act on Company Pension Schemes[6] and the Act on the Government Employees' Social Security Pension Fund[7] were accordingly amended (see the section on article 11).

Measures

Various measures have been taken to implement the provisions of the outcome of the Beijing + 5 Conference of 2000 and the Gender Equality Act. The Government publishes its plans for implementation annually and submits to the Diet a report summarizing those plans every four years (see the gender equality report for 2000, annex 2). The Government's Office for Gender Equality plays a central role in designing and implementing measures and in preparing reports, and also serves as a first recourse center for women whose rights have been violated. The Office was initially set up by the Government in 1996 for a period of three years; however, it has been given a legal foundation through the Gender Equality Act and became a permanent body in 1999. The Gender Equality Act[8] also provided a legal basis for the Commission on Gender Equality as a standing advisory body to the Government, charged with making recommendations or proposals to the Government, rendering opinions as part of the debate on proposed legislative measures relating to gender equality, as well as conducting public awareness activities and preparing reports, both on its own work and on topics relating to gender equality, measures taken, specific issues, etc.

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[4] In accordance with art. 16 of the Gender Equality Act, LGBl. 1999 No. 96.
[5] Act of 17 December 1998 amending the Marriage Act, LGBl. 1999 No. 28.
[6] Act of 23 November 2000 amending the Act on Company Pension Schemes, LGBl. 2000 No. 296.
[7] Act of 23 November 2000 amending the Act on the Government Employees' Social Security Pension Fund, LGBl. 2000 No. 297.
[8] LGBl. 1999 No. 96 (art. 18).

b) Prohibition of discrimination against women through legislative and other measures

With the introduction of the Gender Equality Act, the revision of the Marriage Act and the amendments to the social security laws, legislative measures providing for equality of women and men have been completed. Moreover, there are no legal provisions which discriminating women. The Government is now focusing its efforts on the practical implementation of the principles of non-discrimination and gender equality. The programmatic basis for these efforts is found in the annual implementation plan for the Beijing Platform of Action and in the supporting measures previously mentioned.

Liechtenstein became a member of the European Economic Area on 1 May 1995 and since then has incorporated into its national law and implemented within its territory a total of nine directives promoting equality of women and men in various fields. Since 1996, the following three directives have been adopted:

- Council of the European Union Directive 96/34/EC of 3 June 1996 on the Framework Agreement on Parental Leave concluded between the Union of Industrial and Employers' Confederations of Europe (UNICE), the European Centre of Enterprises with Public Participation (CEEP) and the European Trade Union Confederation (ETUC);
- Council Directive 97/80/EC of 15 December 1997 on the burden of proof in cases of discrimination based on sex;
- Council Directive 97/81/EC of 15 December 1997 on the UNICE/CEEP/ETUC Framework Agreement on Part-time Work.

The Committee's observation, based on Liechtenstein's last report, of persisting patriarchal patterns of conduct needs to be qualified. The patriarchal principle in marriage, for example, has already been eliminated as early as 1992 when the Act was revised in favour of the principle of partnership, and, by making separation and divorce by mutual consent possible, the revision of 1999 has given still more weight to the principle of partnership. Nevertheless, in evaluating social patterns of conduct and structures, their historical and cultural background must be taken into consideration. For such conduct and structures to change, a change in general awareness is crucial. Effecting a change in awareness is a process which takes on over a relatively long period of time, and to which the Government is lending its active support. In the end, however, it is the people - in particular women themselves - who must promote and bring about such a change of general awareness. Women's organizations in Liechtenstein have already made a considerable contribution in this regard.

Article 3 Human rights and fundamental freedoms

On 10 December 1999, Liechtenstein signed the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women of 6 October 1999, which entered into force on 22 December 2000 and provides for the submission of communications by individuals. Liechtenstein plans to ratify the Optional Protocol by 2002 at the latest.

Article 4 Special measures aimed at accelerating de facto equality between women and men

Article 31 of the Constitution of Liechtenstein prohibits any gender discrimination (including positive discrimination in favour of women) under the law, with the exception of legal provisions relating to pregnancy, childbirth and motherhood. However, various positive measures for the advancement of women have been taken over the years, among them the measures mentioned under article 7 aimed at improving women's representation in politics, the "career guidance year" mentioned under article 5, which facilitates women's return to work, and

various awareness-building measures. Despite these efforts, however, women continue to be underrepresented in politics, in public life, in the higher education sector and in management positions in the business sector, so that the Government of Liechtenstein will continue to provide active support in this respect through its policy on women.

Article 5 Modification of social and cultural patterns of conduct

a) *Measures to eliminate prejudice and ideas of gender superiority or inferiority and of stereotyped roles for women and men*

Although all young women and men have the opportunity to learn any occupation of their choice, cultural and structural barriers persist and in practice influence both sexes in their choice of occupation. In order to counteract this, the Government took the decision in the fall of 1999 to introduce a "*Berufs-Impulsjahr*" (career guidance year) for girls and women aiming on the one hand at assisting girls in the choice of an occupation and on the other at supporting women to return to work after having left their job because of family responsibilities.

The Office for Gender Equality, under commission of the Government and in cooperation with the "Aha" youth organization, the Office of Vocational Training, the Office of Social Services, the Vocational Counselling Office, the Adult Education Office, the Women's Information and Contact Office ("infra"), the Liechtenstein Chamber of Industry and Commerce, the Schools Authority and the Association "*Bildungsarbeit für Frauen*" (Educational Work for Women), implemented the project in two parts. Part 1 (April–November 2000) focused on young people taking up employment after school-leaving, while Part 2 (August 2000–June 2001) focuses on women who plan to rejoin the work force after having stopped working for some years for family reasons.

Part 1 of the career guidance year which targeted people new to the job market, sought to educate girls and young women at the importance of a sound foundation of training and professional development, to broaden their scope of career choices, to encourage both girls and boys to question traditional gender roles and to sensitize parents and teachers to the concept of equal opportunity in career choices. To this end, various activities were conducted in schools. The project "*Starke Frauen – Ganze Männer*" (strong women – complete men), for instance, conducted a experiment in the framework of which boys and girls of a secondary school for four days engaged in a consistent exchange of roles. The girls did craftsmen's work and technical tasks, while the boys worked in the social and domestic areas. Another project, under the theme "*Frauenberufe – Männerberufe*" (women's occupations – men's occupations), put into question traditional role-specific conduct in the choice of careers. As part of the project, the boys spent one day in various kindergartens, while the girls visited a technical enterprise and Liechtenstein's college of advanced technology. Furthermore, various workshops for girls were held between April and November 2000 with the aim of educating them at jobs in the craft sector and in technical areas, as well as helping them to discover their own identity and promote their self-confidence.

These activities were accompanied by public-awareness-building measures and various information activities. For example, the campaign "*Umdenken öffnet Horizonte*" (change your thinking and open up new horizons) raised the awareness of the public to latent gender stereotypes in employment, while a series of newspaper articles featured a number of women in unusual careers, thereby offering alternative opportunities for career choices.

Although various projects related to the career guidance year have been well received, the target populations, decision-makers and interest groups still need to better work together to realize equal opportunities for women and men in employment. The work currently being done to sensitize the public on the importance and the attainability in this regard will therefore have to be continued at all levels, for - as the reactions of the children and teachers involved in these school activities show - such projects provide important opportunities for bringing

about a change in awareness. The Office for Gender Equality has, therefore, already initiated various measures, such as, for example, continuing education school curricula which will in the future include career project weeks and involve practitioners from various fields. Furthermore, discussions on teaching with women experts will examine the theme of girls and women in science and technology.

The interregional project on girls' decisions as regards to their career choices, currently underway in St. Gallen (Switzerland), Liechtenstein and Vorarlberg (Austria), focuses on career possibilities for young women. This is to be seen within a context of careers traditionally reserved for women in most instances still being lower paid and considered socially inferior, offering fewer possibilities for advancement or further training than careers traditionally reserved for men. As a first step, a study was conducted on existing measures aimed at counteracting limitations on career choices. The second stage involved an exchange between representatives from the education, business and trade sectors, public administration, trade unions and women's organizations aiming at the development of national and transnational measures to eliminate these discrepancies. The project will come to an end by June 2001.

Part 2 of the career guidance year is aimed at women returning to work and addresses the difficulties women face in resuming work after having stopped for family reasons. A series of programmes was developed to target women who are still preparing and orienting themselves as regards their return to work, as well as women who wish to return to work immediately. These programmes address questions of time management especially for women, and also include seminars on orientation, motivation and stress management as well as on the analysis of the individual situations of these women interested in resuming work. Evening lectures provide useful and concise information on career counselling, study fellowships and job hunting. The career counselling office is currently preparing an intensive seminar which will focus on the issue of reorientation and on the analysis of individual situations.

In today's information age, the ability to use a computer is indispensable in many occupations. For this reason, a computer training programme was included in the curriculum for the career guidance year. As a complement to these activities, the Women's Information and Contact Office ("infra") has distributed a brochure with useful tips for women resuming work,[9] and the Government's Office for Gender Equality has commissioned a study on planning a successful return to work, which is expected to be published in the summer of 2001. These activities were presented and discussed in the media as an effective means of reaching the public. The computer course was very well received; however, participation in a few other activities was not as high as expected. It remains to be seen whether this was due to a lack of interest or to limited possibilities.

Theoretically, the aim is to seek out new opportunities and possibilities to facilitate women's return to work after an interruption in employment for family reasons. Potential measures could be, for example, practice-oriented courses conducted in cooperation with firms, revision of the laws governing study fellowships (making relatively long-term fellowships and/or loans available to women returning to work), the promotion of part-time jobs and flexible working hours at all levels as well as the establishment of child-care centres, help with homework and school luncheon. Incentives should also be given to companies hiring women returning to the job market.

Some of the costs involved in securing the training or retraining needed for women to resume work are already being absorbed through tax relief provisions. Persons who are not gainfully employed and are personally responsible for the care of children may deduct the cost of training or retraining from their income tax returns.

b) Measures to ensure proper understanding of maternity as a social function

The Government of Liechtenstein provides support to families with children in various ways. In addition to the one-time allowance paid for the birth of a child and the maternity allowance given to self-employed women and

[9] The brochure is entitled "*Wiedereinstieg ins Erwerbsleben*" (Reentering the World of Work).

housewives with no income of their own, the State provides monthly financial support to parents for each child. The amendments of 1999 and 2000 to the Family Allowances Act provided for an increase in State support for each individual child (*Kindergeld*) and instituted allowances for single-parent families,[10] whereby single parents receive further support from the State in addition to the child allowances, given the more exigent financial circumstances of single-parent families and the added difficulties of reconciling family with work. Families with children are also entitled to various tax deductions.

With regard to child care and child-rearing, parents have at their disposal a wide range of State-run and private counselling services. The Red Cross of Liechtenstein provides counselling services to mothers and fathers on the care of infants and young children, and the State-run Children's and Adolescents' Services, private counselling services for parents, children and adolescents and the privately-run Parent-Child Forum offer child-care and family life counselling and socio-paedagogical family care.

In recent years, maternity has also been given appropriate consideration in the area of social security. The amendment to the Marriage Act which took effect in 1999 and the accompanying adjustments to the pension laws introduced the notion of company pension-sharing in cases of divorce, whereby married women who have stopped working to devote themselves to caring for the household are entitled, in a divorce, to half of their husbands' company pension expectancy for the duration of the marriage.[11] As far back as 1997, the married couples pension was replaced with an individual pension. Both these amendments benefit mainly non-working women (see the section on article 11). The handbook on divorce published by the Women's Information and Contact Office ("infra") in 2000 provides information for both women and men on all important questions relating to separation and divorce. Information for women on pensions is available in *"Altersvorsorge – was Frauen wissen müssen"* (Old-Age Pensions: What Women Need To Know), also published by "infra".

In order to enable working mothers to better reconcile family and work, they are entitled to 20 weeks of maternity leave. The bill providing for additional child-care leave for parents (parental leave) was passed by the Government in 1999 and is currently being finalized (see the section on article 11). The State provides support to day-care installations, and in March 2001 the Government passed an Ordinance requiring registration of private day-care installations and facilities devoted to caring for children and adolescents outside of the home. The Ordinance is expected to come before the Diet during the course of the year.

Article 6 Elimination of all forms of exploitation (in particular traffic in women and prostitution) and of violence against women

Prostitution and trafficking in women

Under the national law of Liechtenstein the promotion of trafficking in women and the promotion of prostitution is an offence punishable by a term of imprisonment of up to ten years. These provisions serve mainly to criminalize pandering. The prostituted person is only subject to criminal sanction if her conduct constitutes a public nuisance.[12] For transnational offences, the provisions of the Act on Mutual Legal Assistance are applicable.

[10] LGBl. 1999 No. 98 and LGBl. 2000 No. 212.

[11] Act of 17 December 1998 amending the Marriage Act, LGBl. 1999 No. 28 and Act of 23 November 2000 amending the Marriage Act, LGBl. 2000 No. 298. Act of 23 November 2000 amending the Act on Company Retirement Benefits, LGBl. 2000 No. 296 and Act of 23 November 2000 amending the Act on the Government Employees' Social Security Pension Fund, LGBl. 2000 No. 297.

[12] Criminal Code of 24 June 1987 (art. 210 and 213–217), LGBl. 1988 No. 37.

There have been no cases of trafficking in women reported in Liechtenstein since 1999. As regards prostitution, Liechtenstein provided mutual legal assistance in three cases, two requests for assistance originating in Switzerland and one in Austria. In addition the police in Liechtenstein received one complaint in 2000 involving suspected promotion of prostitution and illicit exploitation of prostitution, which case is currently still under investigation. Another complaint involving suspected promotion of prostitution was dropped because of insufficient evidence.

The right to protection against violence

The new Protection against Violence Act[13] took effect on 1 February 2001. As a central innovation of this Act, it contains a provision providing for protection against domestic violence, which includes the right to expel potential perpetrators from the home as a precautionary measure. Where a grievous attack on the life, health or liberty of a person is anticipated, the police may, as a precautionary measure, expel the potential perpetrator and issue a temporary restraining order, thereby providing adequate protection for the potential victim of domestic violence. This provision is meant to counter previous practice, whereby the victims of domestic violence (mainly women and children) were forced to abandon the home.

Enforcing the Protection against Violence Act represents a major challenge for the police, who are empowered to issue an expulsion order. For each case, police officers must decide on the spot whether domestic violence has occurred or (since expulsion is seen mainly as a precautionary measure) whether there is acute imminent danger. Police officers who will be involved in such cases will receive extensive training during the course of the year. No expulsion orders have been issued to date.

In several areas there are no gender-disaggregated data available on violence against women. The provisional general economic statistics system *(Volkswirtschaftliche Gesamtrechnung)* introduced recently represents a first step forward in improving the quality of statistical data. Various other measures are also planned. With the Government's Office of Gender Equality as the lead agency, a working group is to be established bringing together representatives of bodies working in the area of violence against women, in particular the police, physicians, the Office for Social Services and the Superior Court. Cases of violence will also be handled by a comprehensive reporting system which is yet to be developed.

As another means of improving the quality of statistical data, a three-year interregional project was launched in February 2001 with the aim of compiling transnational data on domestic violence, building awareness and sensitizing the public on a transnational basis through the provision of information and providing efficient and competent intervention against violence (through communication, cooperation, prevention, social awareness-building and adequate assistance).

Revision of the laws on sexual offences

The revised laws on sexual offences[14] took effect in February 2001. They place emphasis on the principle on empowering women to decide freely on matters relating to their sexuality (sexual self-determination). The main innovations as regards gender equality issues and protection of women against violence are the extension of the statute of limitations for sexual offences, the establishment of marital rape as a criminal offence and inclusion of sexual harassment in the workplace as a sexual offence.

The extension of the statute of limitations, which provides protection for victims even after their rights have been violated, covers rape, sexual coercion, sexual assault, sexual abuse and endangering a minor or adolescent, incest, abuse of authority, pandering, promotion of prostitution, and trafficking in persons. Rape and sexual coercion

[13] Act of 14 December 2000 amending the Police Act, LGBl. 2001 No. 27.
[14] Act of 13 December 2000 amending the Criminal Code (Sex Offences), LGBl. 2001. No. 16.

within a marriage or cohabitational relationship are subject to a term of imprisonment of up to ten years, provided that the victim files criminal charges against the perpetrator. Sexual harassment, whether verbal or by deed, is subject to fines or a term of imprisonment of up to six months. No infractions of these laws have been reported to the relevant authorities since the revised laws took effect.

As regards sexual exploitation of children and adolescents, the "coaching model" was introduced in 1999. This enables representatives from various disciplines to work closely together on this problem.

Article 7 Equality in political and public life

The Government consists of five members appointed by the Prince on the recommendation of the Diet. The Government is the highest executive power, with authority over approximately 30 offices, various diplomatic representations abroad, divisions and agencies. Administrative functions are supported by some 50 commissions and councils.

Elections to the Diet are held every four years. The Diet comprises 25 representatives, who are chosen by universal, equal, direct, secret election in accordance with the proportional system of representation. Three parties are represented in the Diet for the current term (2001–2005). The Progressive Citizens' Party has an absolute majority with 13 seats, while the Patriotic Union holds 11 seats and the Voters' Free List party one seat.

Women account for three of the 25 seats and two of the eight alternates. From 1993 to 1997, two members of the five-member Government were women, whereas from 1997 until present one women is represented in the Government. Women are also in the minority in the commissions and councils, which number over 50, as well as in the local community councils. Only two commissions are headed by women. These figures show that women's participation in politics continues to be limited. This limited number of women in the political arena is particularly regrettable given the measures undertaken for the advancement of women in recent years, in particular in the run-up to the local council elections of 1999 and the parliamentary elections of 2001.

Recent measures for the advancement of women

As early as 1986, the two majority parties in the Diet (the Patriotic Union and the Progressive Citizens' Party) set up commissions for the advancement of women in politics, while the smaller opposition party (the Voters' Free List) has placed great emphasis on the advancement of women since it was established in 1985, setting up a working group on gender equality policy to promote equality for women and men in various areas. The Government also passed the "two-thirds ruling" in 1997, whereby neither of the sexes should have a majority of more than two thirds in any committee set up by the Government. Statistics for 1999 show that there has been an increase in women's representation on such committees since 1997, but that women continue to account for less than the target of one third on the commissions and councils. In order to better implement its two-thirds ruling, the Government established a pool of eligible women in 1999 in the form of a databank listing as many women as possible who were interested in serving on a committee. This databank is at the disposal of the Government in making appointments to the various commissions.

Despite efforts to achieve equality, women are still underrepresented in other areas of public life, in the business sector and in higher education. The Equality Prize established by the Government in 2000 and awarded annually seeks to recognize activities in the area of advancement of women. The Equality Prize for 2000 was awarded to the Women's Information and Contact Office ("infra"), whose project on migrant women aimed to improve the integration of migrant women into society. The Equality Prize for 2001 was awarded to the "*Bildungsarbeit für Frauen*" association for its project providing support to young women entrepreneurs. Regrettably, no projects from the business sector have been submitted for consideration since the Prize was introduced.

Measures for the advancement of women in the run-up to local and parliamentary elections

On the basis of an analysis of women in the electoral process conducted in 1997, the Office for Gender Equality was commissioned by the Government to develop a series of measures during the run-up to the 1999 elections to local councils including short-, middle- and long-term measures to improve women's representation in politics. The pool of eligible women mentioned above was also established in 1999.

These measures are having good results, at least in the long term, in the area of local politics. Whereas the local councils for the whole country comprised 17 women and 93 men in 1999, there are now 28 women to 83 men on these councils, which represents an increase of over one third. These developments seem to augur well for the future.

In 1999 the Commission on Gender Equality commissioned a study on women and politics, whereby exhaustive interviews were held with women politicians on the motivations and obstacles encountered in working in politics. This study served as a basis for developing measures for the upcoming parliamentary elections. The results of the study and the measures developed were made available to the political parties.

For the parliamentary elections held in the spring of 2001, the Commission on Gender Equality, in cooperation with the Office for Gender Equality and on the basis of the above-mentioned measures, conducted various activities for women interested in politics and, in a second stage, for women candidates to the Diet. Courses aimed at boosting self-confidence, on dealing with the media, on presentation techniques and on improving public-speaking skills were also delivered under the rubric of women and politics. Other courses on the theme of "*Männerstaat – Frauenstaat*" (a man's country – a woman's country) addressed the political "rules of the game", which largely favour men, and provided information and recommendations on dealing with the obstacles facing women in politics. A poster campaign and a series of radio advertisements were conducted to encourage women to run for office in the Diet, as well as a second poster campaign to mobilize voters.

The election results were sobering in terms of efforts at gender equality. Although the proportion of women in the Diet rose by two to three deputies, the goal of a largely equitable representation of the sexes is far from being reached. As in the local elections, however, the measures taken are expected to have a positive impact over the long term.

The crucial conditions for improved representation of women in politics and business are awareness-building among the population and among women themselves, as well as measures for the advancement of women to support women's participation. The short-, middle- and long-term measures outlined here will be developed further and implemented in order to bring about a higher proportion of women in politics over the longer term.

The involvement of non-governmental organizations in the Government's policy on women also enables it to make use of synergies. On the occasion of the fifteenth anniversary of the granting of the right to vote to women, women's organizations in Liechtenstein mobilized over 150 women to participate in a women's congress. This congress adopted a "wish list" for better implementation of equal opportunity, which was then submitted to the Government, the political parties, business, trade and the media, accompanied by personal dialogues.

Article 8 Participation of women in government and in international organizations

The number of women in the Government and in international organizations has risen steadily in recent years. However, it is still not in compliance with the principle of gender equality. There is one woman in the new Government of Liechtenstein. She holds the portfolios of justice, education, transport and communications.

Two of Liechtenstein's six permanent representations to international organizations are headed by women.

Article 10 Education

Close multilateral networking in the area of education

Liechtenstein's public school system consists of a number of community kindergartens and elementary schools (years 1 to 5), 8 secondary schools (years 6 to 9) and one *Gymnasium* (secondary school preparing pupils for university) (years 6 to 13). These are complemented by two private elementary and secondary schools, two private universities and an advanced technical college *(Fachhochschule)*. Since Liechtenstein is such a small country, the education provided is limited to mandatory schooling and various forms of schools offering continuing education and training (the advanced technical college, apprenticeship facilities, vocational schools). There is no public university in Liechtenstein; however, the population is assured highly qualified education through close linkages with the educational system of neighbouring countries, in particular with the Swiss education system. Because of Liechtenstein's association with Switzerland in the area of general education and in vocational training, Liechtenstein graduates have free access to education in Switzerland. In exchange, Liechtenstein contributes to educational facilities in the Swiss cantons. However, many of the Liechtenstein graduates also finish their education in Austria, which is the second country bordering Liechtenstein. Under a bilateral agreement, citizens of Liechtenstein have free access to Austrian universities and advanced technical colleges. In exchange Liechtenstein makes special contributions (prizes, etc.) to promote specific university institutes. Access to educational institutions in other European countries is governed by various European conventions. These close linkages with neighbouring States and other European countries must be taken into consideration in implementing the principle of gender equality in Liechtenstein's schools.

Supplementary education for foreign children

Liechtenstein offers non-German speaking children of compulsory school age intensive and supplementary courses in the language. Such courses are integrated into the public school curriculum and seek to promote the linguistic and cultural integration into society of non-German speaking children. The State also provides support, by making available the necessary infrastructure, to courses run by private entities (foreigners' associations) in the language and the culture of the children's country of origin.

The principle of gender equality in Liechtenstein's schools

Boys and girls are represented equally in Liechtenstein's schools at all levels. For the 1999/2000 school year, a new curriculum for compulsory school levels was introduced and is now in the introductory, testing and evaluation phase. This new curriculum takes into account all aspects relevant to gender equality and makes equal provision for girls and boys. Moreover, the media kit on gender equality and gender roles developed by a working group led by the Office for Teaching Materials contains practical examples for gender-neutral instruction at all levels of education which are easily carried over into practical experience.

The measures to promote gender equality in career choices (the career guidance year and the interregional project on girls' career choices in St. Gallen, Liechtenstein and Vorarlberg) are discussed in the section on article 5.

In accordance with requests from many parents, schools and kindergartens utilize block scheduling. However, school lunch programmes are not included. As regards elementary and secondary schools at the community level, the Schools Authority has not yet granted any parental requests in this area. A project extending the school lunch programme in one community's secondary school was examined, but was not implemented due to insufficient need. The situation is different in secondary schools with students coming from different communities

(*Liechtensteinisches Gymnasium, Schulzentrum Unterland, Oberschule Vaduz*), in which various forms of school lunch programmes have been implemented and are well utilized.

Article 11 Employment, maternity, social security

General economic picture

Liechtenstein is a modern industrialized and service-oriented State with ties to countries all over the world. It owes the economic success that it has enjoyed in recent decades to favourable overall conditions created by a liberal economic legislative framework. Liechtenstein also has a highly productive, globally oriented industrial sector which accounts for over 40 per cent of its gross national product, as well as a diversified and competitive commercial sector. This broad range of diversification has been and continues to be a key factor in the steady growth of the economy of Liechtenstein and its ability to avoid recessional tendencies. Unemployment is low by international standards, and the labour market is utilized to a large extent. Unemployment rarely exceeds the 2 per cent mark and currently stands at 1 per cent. In 2000 the inflation rate in Liechtenstein was 1.6 per cent.

Workplace and maternity

Occupations continue to be categorized as men's occupations and women's occupations. In the social areas ("home and health"), women account for 68 per cent of all workers, while technical areas (machine-building, appliance manufacture and auto-making, as well as repairs, travel and transport) are dominated by men, who make up over 80 per cent of the work force in these areas. With 55 per cent women and 45 per cent men, the commercial sector is one in which the sexes are equally represented.

As already mentioned in the sections on articles 5 and 10, reconciling family and work continues to be difficult. Even with 20 weeks of maternity leave, the existing infrastructure and the various available day-care facilities (parents may take advantage of various private and State-supported institutions offering babysitting and day-care services and day nurseries), block scheduling, recently introduced in schools and kindergartens, and the above-mentioned continuing education institutions set up as day schools with lunch programmes, career possibilities geared towards mothers are limited. The biggest obstacle to reconciling family and work lies in the lack of willingness on the part of business to create better conditions. A survey conducted among companies shows that they are still, for the most part, unwilling to make concessions as regards, inter alia advancement of women, establishment of company child-care centres or flexible work systems. Only 15 per cent of the companies surveyed have programmes for the advancement of women. This is another area that the Government will address through its policy on women, for example, the creation of incentives for companies to encourage the advancement of women, inter alia by means of the above-mentioned Equality Prize.

In 1999 the Government set a good example for the employees of its administration through its Decree establishing individualized working hours. This established a system whereby a flexible annual work schedule and job-sharing were made possible, in addition to full- and part-time work,[15] thereby facilitating the reconciliation of family with work. The Government has also decided to establish a day nursery for the children of its employees. The administration will bear the cost of providing the premises and maintenance, as well as any shortfall, while the Association of Day Nurseries of Liechtenstein will be responsible for elaborating the regulations of the nursery and hiring staff. The nursery is expected to begin operations in the summer.

[15] Ordinance on hours of work and vacation leave for officials and employees (Ordinance on working hours), LGBl. 1999 No. 112 (art. 4).

Social security

The principle of gender equality has been applied in the area of social security since 1996 as regards old age and survivor's insurance, and since 1 January 2001 as regards pension funds. In accordance with these amendments, work in the home is placed on an equal footing with remunerated work for pension purposes and company pension entitlements.

Old age and survivor's insurance:[16] The 1996 revision of the Act on Old Age and Survivor's Insurance replaced the system of pensions for married couples with individual pensions and introduced the concept of pension-sharing, the basis of which is the extension of pension insurance coverage to persons who are not engaged in remunerated work but are responsible for maintaining the home. Since it is mainly women who stop working in order to take care of the home, they would be at a financial disadvantage compared to men in the event of a divorce, often even as regards company pension entitlements. In accordance with the new provisions, the "standard real income" for the duration of the marriage, calculated according to specific formulas, is divided equally between the spouses. This system of sharing old age or disability pensions between married persons serves to place women and men on an equal footing as regards pension payments. A more detailed account of the pension-sharing mechanism may be found in annex I to the present report.

Company pension schemes:[17] The distribution of pension entitlements in the event of a divorce is regulated by the amendments to the Acts on company pension schemes and on the pension fund for government employees which took effect on 1 January 2001. For example, if a woman stops working in order to take care of her family, she is, in the event of a divorce, entitled to half of the pension expectancy earned by her husband based on his work for the years they were married.

Parental leave: In 1999 the Government of Liechtenstein adopted the EEA directive on the introduction of parental leave as a complement to maternity leave (see the section on article 5 (*b*)). The directive contains minimum standards for a three-month period of parental leave, independent of maternity protection, as well as a period of child-care leave on urgent family reasons. Parents on unpaid parental leave are protected from termination during such leave. It is proving difficult to implement this directive at the national level, since there are business and social interests that are strongly opposed to such a system. While the introduction of parental leave is compatible with Liechtenstein's family policy aims of better reconciling work and family, representatives of the business sector criticize parental leave as incompatible with small and medium-sized companies in particular. The results of this survey are currently being examined by experts.

Research

In order to have an efficient gender equality policy, it is necessary to have an exact understanding of the status quo. Added emphasis has therefore been placed on research as of May 2001, as recommended by the Committee on the basis of Liechtenstein's last report. The Liechtenstein Institute is carrying out a project on women's work in Liechtenstein from a perspective of gender equality and gender democracy for a period of three years (2001–2003), focusing on the work done by women. Based on a detailed analysis of patterns of conduct regarding work and career development for women in Liechtenstein, as well as presumed and evident gender inequalities, the project seeks to compare existing norms with reality as regards gender equality. Should the outcome indicate a need for further action, recommendations will be made as to ways of achieving a higher level of gender equality The project is being privately funded by the Liechtenstein Institute as well as by the State.

[16] Act of 18 September 1996 amending the Act on Old Age and Survivor's Insurance, LGBl. 1996 No. 192.

[17] Act of 17 December 1998 amending the Marriage Act, LGBl. 1999 No. 28; Act of 23 November 2000 amending the Marriage Act, LGBl. 2000 No 298; Act of 23 November 2000 amending the Act on Company Pension Schemes, LGBl. 2000 No. 296; Act of 23 November 2000 amending the Act on the Government Employees' Social Security Pension Fund, LGBl. 2000 No. 297.

Article 12 Health

The revised Health Insurance Act took effect on 1 April 2000.[18] Insured persons may now choose between physicians who are part of the Liechtenstein health system's network of health-care providers or they may be seen by any physician of their choice. The in-network provider system reduces premiums and co-payments for the insured. No premiums are required for coverage of children up to the age of 16 within the network, so that families in particular benefit from a less costly health-care system. Reductions on premiums are also available, mainly to persons with lower incomes – up to 60 per cent depending on the level of their income.

Family planning

Everyone is guaranteed access to family planning as a part of Liechtenstein's public health care system. The Centre for Motherhood offers technical and personal counselling for women with unwanted pregnancies, as well as financial support for mothers during pregnancy and after childbirth. Women also receive medical and psychological assistance from doctors and therapists. Starting at age 17, all women receive an invitation every two and a half years to undergo a gynaecological examination which includes, mainly for younger women, family planning counselling where necessary. All costs relating to such examinations and counselling, as well as a portion of the costs of related family-planning measures, are borne by health insurance providers. However, contraception, which is legal in Liechtenstein, is not funded by the State.

Abortion

Abortion is legal in Liechtenstein if the pregnancy seriously threatens the mother's life or if she is under 14 years old. The cost of abortions is covered by health insurance. In Liechtenstein there have been no reports in recent years of illegal abortions being performed or of abortions leading to the mother's death. However, this does not necessarily mean that women in Liechtenstein are not having abortions performed abroad. There are no data available on this question.

Contraception and AIDS prevention

"AIDS-Hilfe Liechtenstein" (AIDS-Assistance Liechtenstein), a specialized counselling centre funded by the Government, conducts public HIV/AIDS information campaigns with broad coverage which target both sexes and all age groups. There are also self-help groups for persons with HIV/AIDS which also receive State funding. The various campaigns advocating the use of condoms as a part of AIDS prevention efforts have contributed greatly to awareness-building in the area of contraception. *"AIDS-Hilfe Liechtenstein"* also offers special courses for girls aged 11 to 16 which provide technical information on contraception and HIV/AIDS, as well as instruction in self-defence and other courses geared towards raising girls' self-confidence. These courses are held five times a year and have been very well received. "Girl Power Days" have also been organized every year since 1998, with great success.

Drugs and rehabilitation programmes

The number of smokers is increasing, especially among young people 15 to 16 years old. Generally speaking, young women start smoking somewhat later than young men, however, their numbers are just as high as smokers among their male counterparts. Alcohol consumption and abuse is, however, more prevalent among young men than young women, as is the use of drugs, in particular cannabis. On the other hand, prescription drug abuse (tranquilizers, stimulants, sleeping pills and diet drugs, etc.) is generally more widespread among young women. Hospitals and therapy institutions offer outpatient rehabilitation programmes, and patients may also take advantage of the rehabilitation programmes available in the countries bordering Liechtenstein.

[18] Act of 13 September 2000 amending the Health Insurance Act, LGBl. 2000 No. 208.

Older persons' health

Old age provision for women is an integral part of the public health-care system. General medical examinations are provided every three years and gynaecological examinations every two years at no cost to the patient.

Article 13 Other areas of economic and social life

Although Liechtenstein is an affluent country, there are certain sectors of the population with low income levels. Pensioners and, in particular, heads of single-parent families (who are mainly women), as well as families with several children and only one working parent are constantly facing financial problems.

In theory, the financial burden of families in Liechtenstein is lessened through a system of tax relief. Married couples and single parents benefit from such deductions, while other deductions are also allowed for household maintenance and for children. The system of rental subsidies which took effect on 1 April 2001 is meant to provide lower-income families with additional help in meeting the high costs of housing. The amount of the subsidy is generally based on the level of income and the size of the household.

Where parents' income is still insufficient despite the above-mentioned means of assistance, families may seek further financial aid from the State (social assistance) to meet their needs. The level of this assistance is determined on an individual case basis, taking into account the family's reasonable efforts on their own behalf.

Migrant women

Generally speaking, women, because they still tend to occupy a weaker position in society, and also because they are different from men physically, are often subjected, to a greater extent than men, to violations of their rights and to various forms of discrimination. This is especially true for foreign women, who, because of their economic situation or language and cultural barriers, are more dependent on their employers or, in cases of domestic violence, their partners.

For example, in those non-German speaking families in which the men work and the women take care of the children and the household, the women's language skills are usually at a lower level than those of their husbands. These women are less integrated into society, and it is more difficult for them to inform themselves about their rights and obligations. Accordingly, they are less articulate and less able to exercise their rights.

In this context, the Women's Information and Contact Office ("infra") launched its project on migrant women in the spring of 2000, with a view to promoting the independence and integration of foreign women through the provision of language courses, counselling services and information. For this project, "infra" was awarded the Equality Prize for 2000 by the Government of Liechtenstein (see the section on article 7). In addition the Office of Social Services offers foreign families and couples with different nationalities counselling and therapy in problem situations relating to immigration issues, as well as needs-oriented German language courses to eliminate language problems. Some women's groups also offer child-care services.

Article 16 Elimination of discrimination in matters relating to marriage and family relations

The revision of the Marriage Act is in conformity with the provisions of this article. The current law took effect on 1 April 1999 and gives effect to the principle of equality of women and men regarding the acquisition of citizenship and marriageable age.[19]

[19] Act of 17 December 1998 amending the Marriage Act, LGBl. 1999 No. 28.

IV. Annexes

- Equality of women and men under Liechtenstein's pension system. Information on the pension-sharing mechanism
- Report and proposal submitted by the Government to the Diet of the Principality of Liechtenstein on equality between women and men (gender equality report, No. 64/2000).
- Act of 17 December 1998 amending the Marriage Act, LGBl. 1999 No. 28.
- Act of 10 March 1999 on equality between women and men (Gender Equality Act), LGBl. 1999 No. 96.
- Act of 10 March 1999 amending the Act on Family Allowances, LGBl. 1999 No. 98.
- Act of 23 November 2000 amending the Act on Company Pension Schemes, LGBl. 2000 No. 296.
- Act of 23 November 2000 amending the Act on the Government Employees' Social Security Pension Fund, LGBl. 2000 No. 297.
- Act of 13 December 2000 amending the Criminal Code, LGBl. 2001 No. 16.
- Act of 14 December 2000 amending the Police Act, LGBl. 2001 No. 27.